

REMARKS

Claims 2-20 and 53-78 are pending in the present application. Claims 1 and 21-52 cancelled without prejudice. Claims 53-78 are based on Claims 21, 21, 22-39, 42, 41, 43-45, and 52 respectively. Applicant asserts this was necessary to avoid confusion as the application as filed inadvertently had two claims, identified as claim 21.

Applicant notes with thanks and appreciation that claims 31-35 are allowed. New claims 64-68 are claims 31-35. Applicant further notes with thanks and appreciation that claims 13-21, 42 and 52 were found to have allowable subject matter if rewritten to include the limitations from the base claim and any intervening claims. Claims 13 and 18 have been rewritten in independent form. Thus, claims 13, 18 and claims 2-12, 14-17, 19-20, 54-55 and 78 that depend from claims 13 or 18 are patentable. Claim 42 has been rewritten in independent form as claims 73. Thus, claims 73 and claim 74 that depend from claim 73 are patentable.

Claims 18 and 19 were amended in the preliminary amendment. The clean version of the claims inadvertently listed these as claims 20 and 21. Applicant respectfully submits that the recitation of all the claims in the section entitled Claim Amendments obviates the request for a clean version of claims 18, 19, 20 and 21.

Claims 1, 4-12 and 22 were rejected under 35 USC §102(e) as being anticipated by US Publication No. 2002/0008143 (*Bridgelall*). Claim 1 has been cancelled without prejudice. Claims 4-12 and 55 (formerly claim 22) have been amended to depend from claim 13. Thus, claims 4-12 and 55 are patentable.

Claims 23, 24 and 30, 36-38, 40, 41, 43-44 and 46-48 are rejected under 35 USC §102(e) as being anticipated by US Patent No. 6640214 (*Nambudiri*). Claims 23-24 are now claims 56-57. Claim 30 is now claim 63. Claims 36-38 are now claims 69-71. Claim 41 is now claim 74. Claims 43-44 are now claims 75 - 76.

Claim 56 recites, among other limitation, that the data transfer apparatus has a data acquisition device mated to the mating cavity and defines the data acquisition device. *Nambudiri* does not teach or suggest a data transfer device with all the limitations of claim 56 including that the apparatus has the inventive data acquisition device mated to the mating cavity. Thus, claim 56 and claims 57-63 that depend therefrom are patentable.

The reconfigurable electronic key of claim 69 includes a scanning means comprising a lens to focus optical signals and an aperture between said lens and a sensor/receiver. *Nambudiri* does not teach or suggest a reconfigurable electronic key

with all the limitations of claim 69. Thus, claim 69 and claims 70-72 that depend therefrom are patentable.

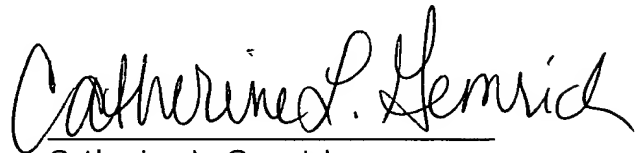
Claim 75 recites that the system for acquiring information has, among other limitations, a data acquisition device and defines the data acquisition device. *Nambudiri* does not teach or suggest a system for acquiring information with all the limitations of claim 75 including that the apparatus has the inventive data acquisition device. Thus, claim 75 is patentable.

Claims 49-51 and 23-30 were rejected under 35 USC §102(e) as being anticipated by US Patent No. 6536666 to *Hudrick*. Claims 23-30 are now claims 56-63. Claim 56 recites, among other limitations, that the data transfer apparatus has a data acquisition device mated to the mating cavity and defines the data acquisition device. *Hudrick* does not teach or suggest a data transfer device with all the limitation of claim 56 including that the apparatus has a data acquisition device as defined mated to the mating cavity. Thus, claim 56 and claims 57-63 that depend therefrom are patentable.

CONCLUSION

Applicant asserts that all of the objections have been obviated and, therefore now respectfully requests withdrawal of the objections, and allowance of the application.

Respectfully submitted,

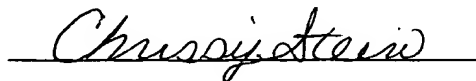


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Version with Markings to Show Changes Made:

18) The apparatus of claim [13] 12 wherein:

said apparatus has download means for downloading decoded machine
readable symbols stored in said memory,

19) The apparatus of claim 18 wherein:

said download means is via modulation of [said] an emitter.